



*TPW*

# AMENDMENT TRANSMITTAL LETTER

Attorney Docket No.: XERZ-US-NP  
XERZ 2 00474

Ser. No.: 10/758,406	Filed: January 15, 2004	Examiner: James A. Thompson
Art Unit: 2625	Title: <b>SYSTEM AND METHOD FOR MARKING MATERIAL CONTAINER IDENTIFICATION</b>	

To the Commissioner for Patents:

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	64	Minus	66	0	X 50	\$0.00
Indep. Claims	4	Minus	4	0	X 200	\$0.00
TOTAL					=	\$0.00

- ☒ No additional fee(s) is/are believed due. However, if this is not the case, the Commissioner is hereby authorized to charge any and all fees to Deposit Account No. 06-0308
- ☒ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. § 1.136(a) and request(s) a **1-month extension of time** to respond to the outstanding Office Action. Payment for the filing of the above-requested extension of time fee is authorized to be charged to credit card. PTO-2038 Form is attached.

Respectfully submitted,  
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

Date:

6/28/06

*Patrick D. Floyd*  
Patrick D. Floyd, Reg. No. 39,671  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, Ohio 44114-2579  
(216) 861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/>	deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
<input type="checkbox"/>	transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.
Express Mail Label No.:	Signature: <i>Kristi A. Murphy</i>
Date: June 28, 2006	Name: Kristi A. Murphy



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Merz et al.  
TITLE : SYSTEM AND METHOD FOR  
MARKING MATERIAL CONTAINER  
IDENTIFICATION  
APPLICATION NO. : 10/758,406  
FILED : January 15, 2004  
CONFIRMATION NO. : 9895  
EXAMINER : Thompson, James A.  
ART UNIT : 2625  
LAST OFFICE ACTION : March 3, 2006  
ATTORNEY DOCKET NO. : A1377-US-NP  
XERZ 2 00474

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT A**

Dear Sir:

Responsive to the Office Action mailed March 3, 2006, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

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